

ARTICLE 11

RMF - RESIDENTIAL MULTIFAMILY DISTRICT

Legislative Intent. This district is composed of certain higher concentrations of residential uses recommended for those sections of town which are in proximity to the central business district; which are adjacent to existing intensive land uses; which can be used as a transitional area between commercial and lower density residential areas; or which are in need of revitalization. The regulations for this district are designed to stabilize and protect the residential character of the district, and to promote and encourage a suitable environment for multiple-family residential units. A density bonus system is offered in order to provide an incentive for improved design and provision of amenities.

11-1 A density bonus system is offered to encourage private sector development of low and moderate priced dwelling units. For the purposes of this Article, persons eligible to rent or buy affordable dwelling units (ADU) shall include those eligible for assistance under the following state or federal programs:

- Virginia Housing Development Authority
- Section 8 Rental Assistance Program
- Department of Housing and Urban Development Community Block Grant Program
- Farmer's Home Administration Program
- Other programs similar to those named herein as approved by Town Council

11-1.1 The developer must provide assurance to the Town that the affordable dwelling units will continue to be available for this purpose for at least twenty-five (25) years. This assurance will take the form of a deed restriction, restrictive covenants, or other form of legal and binding agreement approved by the Town Attorney and Town Council.

11-1.2 The density bonuses outlined in Section 11-8 of this Article shall be permitted in conjunction with the ADU density bonus. The maximum density shall not exceed twenty-five (25) dwelling units per gross acre. Percentages of density increase are to be applied separately and are not to be compounded. The Planning Commission must recommend the density bonus and the Town Council must approve it through the special use permit process, as outlined in Article 4, Section 4-8.

11-1.3 ADU's should first be made available to persons residing or working in the Town of Warrenton or Fauquier County. The developer shall contact the appropriate

local Social Service and/or Housing Authority offices for identification and placement of residents ninety (90) days prior to advertising the availability of the units.

11-2 Use Regulations. A building may be erected, altered, or used, and a lot or premises may be used or occupied, for any of the following purposes and no other.

11-2.1 Uses Permitted by Right:

- Single-family residential subject to all R-10 requirements and regulations (Article 8).
- Townhouses, duplex units, triplexes, and quadriplexes subject to all RT requirements and regulations (Article 10), unless otherwise specified in this Article.
- Two-, Three-, and Four-Family buildings, and all other apartments, maximum ten (10) units per gross acre.
- Dwellings for the elderly and handicapped.
- Playgrounds and recreation areas, when developed as part of the apartment development.
- Accessory buildings.
- Home occupations.
- Yard sale or garage sale for disposal of used household items, provided such sales are not held more frequently than once a year on the same lot, are not conducted for more than three (3) days, and include items assembled only from households of adjoining neighbors.
- Signs subject to Article 25.
- Off-street parking for permitted uses subject to Article 24.
- Open space subject to Article 23.
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit.

11-2.2 Uses Permitted by Special Use Permit. The following uses will be permitted upon authorization of the Town Council subject to Article 4, Section 4-8.

- Affordable Dwelling Units (ADU) at densities of up to twenty (20) dwelling units per gross acre, with a density bonus of up to twenty-five (25) units per gross acre in accord with the density bonus system of Section 11-8 of this Article.
- Apartments or two-family dwellings at densities up to fifteen (15) dwelling units per gross acre in accord with the density bonus system of Section 11-8 below.
- Child care center, day care center, or nursery school.

- Family care homes, foster homes, or group homes serving physically handicapped, mentally ill, mentally retarded, or other developmentally disabled persons.
- Schools.
- Churches and community buildings.
- Golf courses, swim, and tennis clubs.
- Hospitals and clinics.
- Nursing or convalescent homes.
- Parking garages.
- Home professional offices.
- Professional and business offices generally if immediately adjacent to a commercial zone.
- Libraries.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings.
- Active and passive recreation and recreational facilities.

11-3 Density and Area Regulations

Maximum Use	Minimum Density ¹	Maximum Lot Size	Lot Coverage ²
Single-Family	4.3	10,000	none
Single-Family, Cluster:	7.3	6,000	65%
Two-, Three-, Four-Family;	7	6,000 sq. ft. per unit	50%
Two-, Three-, Four-Family, Cluster	10	none	75%
Duplex	7	2,000 sq. ft. per unit	50%
Duplex, Cluster:	10	none	75%
Townhouse	7	2,000 sq. ft. per unit	50%

Triplex	7	2,000 sq. ft. per unit	50%
Quadriplex	7	2,000 sq. ft. per unit	50%
Townhouse, Cluster:	10	none	75%
Apartments, Generally	10	10,000	50%
Apartments, Density Bonus	15	10,000	50%
Apartments, Elderly or Handicapped	50	6,000 sq. ft. for first unit, plus 3,000 sq. ft. for second unit, plus 1000 sq. ft. per 3rd-8th units, plus 500 sq. ft. per 9th-50th units	85%
Apartments, ADU	20	not applicable	70% ³
Use	Maximum Density ¹	Minimum Lot Size	Maximum Lot Coverage ²
Apartments, ADU	25	not applicable	70% ³
Density Bonus			
Other Uses	N/A	10,000	80%

1: Number of dwelling units per gross acre.

2: Includes all impervious surfaces.

3: May be increased to 80% percent if within 600 feet of a recreation area (see Section 11-3.1)

The minimum area regulations may be modified by the Town Council in accordance with the provisions of

Section 4-8.2a. (Amended by Council 11/12/97)

11-3.1 Minimum open space:

- For apartments generally: Five hundred (500) square feet of usable common open space for each dwelling unit.
- For dwellings for the elderly and handicapped: Two hundred (200) square feet of usable common open space for each dwelling unit.

- For ADU developments: A developer can increase lot coverage to eighty (80) percent if the proposed development is within six hundred (600) feet of public active recreation and open space, and residents do not have to cross a roadway that has a speed limit of greater than thirty-five (35) miles per hour, or that is more than two (2) lanes in width, to reach such space.
- The minimum distance between main buildings shall be fifty (50) feet.

11-4 Setbacks

Use	Minimum Setback			Minimum Lot Width ²
	Front ¹	Side	Rear	
Single-Family	25	10	20	75
Single-Family, Cluster	25	8	15	55
Two-, Three-, Four-Family	25	15	25	70
Two-, Three-, Four-Family, Cluster	25	10	25	60
Duplex ³	25	15	20	35
Duplex, Cluster ³	25	10	20	30

Use	Minimum Setback			Minimum Lot Width ²
	Front ¹	Side	Rear	
Townhouse	25	20	25	20 for interior units 30 for end units
Triplex	25	20	25	20 for interior units 30 for end units
Quadriplex	25	20	25	20 for interior units 30 for end units

Townhouse, Cluster	25	20	25	20 for interior units 30 for end units
Apartments, Generally	25	50	50	150
Apartments, Bonus Density	25	50	50	150
Apartments, Elderly and Handicapped	25	50	50	150
Apartments, ADU	none	15	35	80
Apartments, ADU Density Bonus	none	15	35	80
Other Uses	25	15	35	75

1: as measured from the street right-of-way.

2: as measured at the front setback.

3: dimensions are for each unit.

11-5 Height Regulations

Buildings may be erected up to thirty-five (35) feet in height except that:

- The height limit for dwellings may be increased up to forty-five (45) feet and up to three (3) stories provided that front, side, and rear yard setbacks increase one (1) foot for each additional foot of building height over thirty-five (35) feet.
- A public or semi-public building such as a school, church, or library may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
- Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, and television antennae are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

- No accessory building which is within twenty (20) feet of any party lot line shall be more than fifteen (15) feet high. All accessory buildings shall be less than the main building in height.

11-6 Special Provisions for Corner Lots

- Of the two (2) sides of a corner lot the front lot line shall be deemed to be the shortest of the two (2) sides fronting on streets.
- The side yard setback adjacent to the side street shall be in conformity with the minimum front yard setback.
- The lot width along the side street shall be in conformity with the minimum lot width requirements for the respective use.

11-7 Special Provisions for Accessory Structures

- Accessory structure aggregate area shall not exceed thirty-five (35) percent of the area of the rear yard.
- Detached accessory buildings shall not be located closer than five (5) feet to any rear or side property line or within ten (10) feet of the main structure, except that an accessory building may be built on the property line as a party wall, provided the applicant files with the Zoning Administrator, the written consent of the owners of the adjoining properties, and the exterior walls are of masonry construction. Provision must be made for disposal of roof water onto the subject property or to the nearest storm sewer.
- Attached carports, garages, or other attached accessory buildings and structures shall be subject to same setback as main structure.
- Open fire escapes of noncombustible material may project into side or rear yards by not more than four (4) feet and be no closer to any property line than five (5) feet.
- Decks for Single-family attached (i.e. Townhouses, Duplexes, Triplexes, and Quadriplexes) and Multi-family dwelling units, specifically excluding single-family detached dwelling units, may project beyond the established main structure side and rear setback line, to be located no closer than six (6) feet from the rear property line

and no closer than five (5) feet from the side property line for end units and no closer than one (1) foot from the side property line for interior units.

11-8 Density Bonus for Apartment Projects.

The number of apartment dwelling units permitted may be increased in accordance with the following schedule up to a maximum total increase of fifty (50) percent (not to exceed fifteen (15) dwelling units per gross acre) if the Planning Commission finds that the character of the development and the amenities incorporated in the development warrant such increases and provided said increases are approved by the Town Council as a special use permit. Percentages of increase are to be applied separately and treated as additive, not compounded. It shall be the responsibility of the applicant to explain the design elements believed to justify approval of density increase.

Maximum
Percentage
Increase

Design Element

- | | |
|-----|--|
| 10% | Special care in use of existing topography and land features and/or land recontouring. |
| 10% | Preservation of historic buildings and their settings. |
| 10% | Design for minimizing the adverse impact of moving and parked cars on the development and its surroundings by means of curved streets or drives, interior or screened parking, interrupted parking bays, skillful use of topography, screening, and other design features. |
| 10% | Siting of buildings and building groupings to include variety, privacy, and compatibility with nearby development, existing or future. |
| 5% | Provision in design for courtyards, gardens, and patios. |
| 5% | Design for convenient and attractive pedestrian ways. |

- 10% Quality and amount of tree and shrub planting, including peripheral and interior screen planting and fencing, landscaping in parking lots, and use of existing trees in the landscape plan.
- 10% Lakes and water features which make a significant contribution to the design of the development.
- 5% Use of sculpture, fountains, reflecting pools, and similar features in design.
- 25% Major recreational facilities, not to exceed ten (10) percent for swimming pools, five (5) percent for tennis courts and ten (10) percent for community center building or club.

The Planning Commission may recommend and the Town Council may permit increases in number of dwelling units comparable to the schedule above and in appropriate cases for dedication of public sites for such facilities as schools, parks, and public buildings where such sites are located in accordance with the Comprehensive Plan.

11-9 Additional Open Space. All land in or encompassed by a development within this district which is a part of the same tract and is not actually used or planned for development shall be maintained as open space to be enjoyed by the residents, either under the provisions of Article 23 or it may be maintained by a homeowners association or the developer and/or management in the case of rental properties, on a permanent basis.

11-10 Lighting

Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference. Lighting facilities shall be required along private and public streets and within parking areas, installed at the cost of the developer.

Refuse containers or refuse storage areas shall be located in a paved area and hidden from general public view, either from within or outside the lot, by means of fences, walls, or landscape planting.

11-11 Parking

In order for developers to achieve densities that are allowed under the ADU density bonus, the following reductions may be allowed with the approval of Town Council:

- Single room occupancies: 1.0 parking space per unit
- Studio/Efficiency: 1.25 parking spaces per unit
- One Bedroom: 1.5 parking spaces per unit
- One Bedroom and Den: 2.0 parking spaces per unit

11-12 Recreational Facilities

Townhouse and multifamily developments of thirty-five (35) dwelling units or more shall provide improved recreational space for the private use of townhouse residents.

11-12.1 The amount of required recreational space and facilities for townhouse and multifamily developments shall be computed according to the occupancy figures provided below. Occupancy figures will be computed for the total number of dwelling units in the development:

One (1) Bedroom: Two (2) adults

Two (2) Bedroom: Two (2) adults and one (1) child

Three (3) Bedroom: Two (2) adults and two (2) children

Four (4) Bedrooms: Two (2) adults and three (3) children

11-12.2 Based upon the number of occupants computed above, each of the following three (3) types of activity space shall be provided, in the amounts determined by the following schedule:

- Child Use Space: Twenty (20) square feet for each child.
- Mixed Use Space: Twenty-five (25) square feet for each child and adult.
- Adult Space: One hundred (100) square feet for each adult.

11-12.3 Required activity space shall be occupied by the following types of facilities. All playground equipment shall meet commercial grade playground standards for intensive or extended use.

- Child Use Space: Tot lot, intermediate playground, nursery day care, or similar facility.
- Mixed Use Space: Swimming pool, handball or racquetball court, tennis courts, basketball courts, meeting and activity rooms, volleyball court, or similar facility.
- Adult Space: Health club, weight room or gymnasium, terrace or landscaped passive recreation area, or other similar facility.

Mixed use spaces may be substituted for child use spaces if, in the opinion of the Planning Director and Planning Commission, they are more appropriate for the development in question.

The nature and proportion of recreational spaces and facilities may be altered if, in the opinion of the Planning Director and Planning Commission, an alternative proposal is presented and considered more appropriate for the development in question.

11-12.4 For townhouse or multifamily developments of fifty (50) units or more, at least twenty-five (25) percent of the total required recreation space will be provided indoors so as to be usable year round.

11-12.5 The following general design standards shall apply to required activity spaces:

- Required activity spaces shall be located in such a fashion as to be accessible by foot by all residents, using either sidewalks, or paths within common open space, or a combination thereof, that eliminates the necessity of traveling within roadways or travel lanes to gain access to such areas.
- Activity spaces for children shall be designed and placed to facilitate visibility from adjacent dwelling units, roadways, travel lanes, sidewalks, or adjacent common areas. Shade trees should be provided but shrubbery or fence materials that provide an opaque screen adjacent to the activity area are not appropriate. Benches or seats should be provided for use by parents.
- Activity areas for children located within fifty (50) feet of a travel lane, or within seventy-five (75) feet of a two (2) lane public roadway or one with a posted speed limit of thirty-five (35) miles per hour or less, or within one hundred (100) feet of a roadway greater than two (2) lanes or with a posted speed limit of greater than thirty-five (35) miles per hour, should be fenced to discourage the movement of children towards the roadway or travel lane.